T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

Date:			21-Apr-06		APPL. S. N:	<u> </u>	9283938	
To Exam	iner:		GROODY,	JAMES	Art Unit	2	616	
From			Jefferson, PARALEGAL	Henry SPCECIALIST	Return This Memo To: Drop-Off Location	Case	EF-2D68	
SUBJEC	T: Decision	on on Te	erminal Disclaimer(T.D.) filed:				
form par or have	agraphs i any quest	dentifie ions, pl	d by this informal re ease see me or the	nemo in your nex Special Program	t Office action to notify app Examiner, THIS IS AN INF	olicant of the ORMAL, INTE	, please use the appropriate T.D. If you disagree ERNAL MEMO ONLY. When your action is complete	
please ir	nitial, date	and re	turn this memo to	me. THANK YOU.				
<u> </u>	The T.D.	is PRO	PER and has been r	ecorded (see 14.	23).			
	The T.D.	is NOT	PROPER and has n	ot been accepted	for the reason(s) checked	below (see 1	4.24):	
			o fee of had had a deposit account	ıs not been subm	itted nor is there any autho	orization in th	ne application file for the	
		his/he	D. does not satisfy r interest (and/or th application/patent (ne extent of the in	the person who has signed nterest of the business enti 26.01).	the T.D. has ty represente	not stated the extent of ed by the signature)	
		The T.D. lacks the enforceable only during common ownership clause – needed to overcome a non-statutory double patenting rejection, Rule 321(b) (see 14.27.01).						
		The T.D. is directed to a particular claim(s), which is not acceptable since "the disclaimer must be for a termina portion of the term of the entire patent to be granted" (MPEP 1490) (see 14.26 & 14.26.02).						
		The person who signed the T.D.:						
			is not an attorne	y "of record" (se	e 14.29 and 14.29.01).			
			has failed to stat	te his/her capacit	y to sign for the business e	entity (see 14	.28).	
			is not recognized	d as an officer of	the assignee (see 14.29 &	possible 14.2	29.02).	
		No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is the reel and frame number specified as to where such evidence is recorded in the Office (see 37 CFR 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or the specifying of the reel and frame number may be found in the T.D. or in a separate paper of record in the application (see 14.30).						
-		The T.	D. is not signed (se	e 14.26 & 14.26.	03).			
		The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see 14.32).						
		The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed is missing or incorrect (see 14.26, 14.27.02 or 14.26.05).						
		The pe	riod disclaimed is in	ncorrect or not sp	pecified (see 14.26, 14.27.0	2 or 14.26.0	3).	
		Other:					<u>스</u>	
		Suggestion to request refund (see 14.36). NOTE: If already authorized, credit refund to deposit account and do not check this item.						
I have a	opropriate	ly notif	ied applicant(s) of t	he status of the	Terminal Disclaimer filed in	this case.		
Ex.Initial	s:		Date:	<u>_</u>		L	og Date:	

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APR 1 4 2006

Patent 52478-1917

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Examiner; Hai Tran

Hidekazu Tanigawa et al.

Group Art Unit: 2611

Serial No.: 09/283,938

April 14, 2006

Filed: April 1, 1999

Por:

DATA COMMUNICATION SYSTEM,

DATA TRANSMITTING APPARATUS.

AND DATA RECEIVING APPARATUS

Irvine, California 92614

LETTER TO EXAMINER

VIA FACSIMILE 571-273-8300

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Examiner Tran:

Thank you for the courtesy of a phone conference on the above identified case. In accordance with your request attached is a Terminal Disclaimer which is believed to place the case in condition for allowance. If there are any questions with regards to this matter, the undersigned attorney would appreciate a telephone conference. Please charge our Deposit Account No. 19-2814 \$130.00 to cover the fee for the Terminal Disclaimer.

I hereby certify that this correspondence is being transmitted via facsimile to the USPTO at 571-273-8300 on April 14, 2006.				
Ву:	Sharon Farnus			
3	unon Farnon			

Joseph W. Price

Very truly yours,

Signature

Registration No. 25,124

SNRLL & WILMER L

Dated: April 14, 2006

600 Anton Boulevard, Suite 1400 Costa Mesa, California 92626-7689

Telephone: (714) 427-7420 Facsimile: (714) 427-7799

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POSEPEVOS

APR 1 4 2006

Terminal Discinimer To Obviate A Double Patenting Rejection Over A Prior Patent				Docket No. 52478-1917		
In Re Application Of: Hidekasu Tauigawa et al.						
Application No. 09/283,938	Filing Date April 1, 1999	Examiner Hal Tran	Customer No. 21611	Group Art Unit 2611	Confirmation No.	
Invention: DATA COMMUNICATION SYSTEM, DATA TRANSMITTING APPARATUS, AND DATA RECEIVING APPARATUS						
Owner of Record: Matsushita Electric Industrial Co., Ltd.						
The above-identified owner of record of a 100 percent interest in the instent application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full etatutory term defined in 35 U.S.C. 154 to 158 and 178, as presently shortened by any terminal disclaimer, of prior Patent No. 6,701,524. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors end/or assigns. In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance has a held unandereable, is found invalid by a court of competent jurisdiction, is statutority disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims cancelled by a reexamination certificate, is released, or is in any manner terminated prior to the expiration of its full etatutory term as presently shortened by any terminal disclaimer. Check either box 1 or 2 below, if appropriate.						
1. For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undereigned is empowered to act on behalf of the organization. I hereby declare that all statements made herein of my own knowledge ere true and that all statements made on information and belief are believed to be true; and further that these statements were made with the intowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent besued thereon. 2. The understand is an attorney of record.						
PTO sugge	sted wording for termin	Dated: C.F.R. 1.20(d) included, all discislmer was unchanged. b) to required if terminal discisling.	84/17 81 FC	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	68888853 192814 38.89 DR	89283936

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Application Number	Application/Control No.		Applicant(s)/Patent under Reexamination TANIGAWA ET AL.			
Document Code - DISQ		Internal Do	cument – DO NOT MAIL			
TERMINAL DISCLAIMER	☑ APPROVED		☐ DISAPPROVED			
Date Filed : April 14, 2006	to a Te	t is subject erminal aimer				
Approved/Disapproved by:						
Henry D. Jefferson						

U.S. Patent and Trademark Office